



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Eddie Lane Smitherman

For: TREE TRIMMER

Serial No: 10/699,421

Filed: October 31, 2003

P.O. Box 55727
Birmingham, Alabama 35255-5727
January 13, 2004

Mail Stop DD
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

The applicant hereby submits an Information Disclosure Statement in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98, for his invention of a "TREE TRIMMER." Attached hereto is a Form PTO-A820 listing eleven (11) United States patents and one (1) compilation of advertising literature. Copies of the patents and advertising literature are also enclosed. The applicant submits that none of the enclosed documents render his claims unpatentable; however, they are provided for the Examiner's consideration.

Applicant makes no representation that a search has been made or, if made, was complete, or that no more pertinent art than that listed is available. It is expected that the Patent and Trademark Office will conduct an independent search for relevant references. Applicant does not concede nor should the submission provided herein be interpreted as an indication that the submitted references are applicable prior art.

Respectfully submitted,

SIROTE & PERMUTT, P.C.

By:

A handwritten signature in black ink, appearing to read "C. Browning", with a stylized flourish at the end.

C. Brandon Browning

Reg. No. 44,570

205-930-5141

CBB:tr
Enclosures

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
047040-00001

In Re Application Of: **Eddie Lane Smitherman**

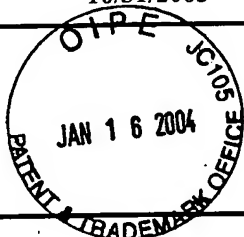
Serial No.
10/699,421

Filing Date
10/31/2003

Examiner
TBD

Group Art Unit
TBD

Title: **TREE TRIMMER**



Address to:

Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
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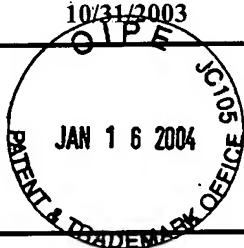
Examiner

TBD

Group Art Unit

TBD

TREE TRIMMER



Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 501346 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

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I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

(Date)

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Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited
January 13, 2004 with the U.S. Postal Service
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addressed to the Assistant Commissioner for Patents,
Washington, D.C. 20231.

Traci Ryan

Signature of Person Mailing Correspondence

Traci Ryan

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

C. Brandon Browning

Signature

Dated: 1/13/2004

C. Brandon Browning, Reg. No. 44,570

Sirote & Permutt, P.C.

PO Box 55727

Birmingham, AL 35255-5727

205-930-5141

Fax: 205-930-5101

Customer No. 26359

CC:

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO. 047040-00001		SERIAL NO. 10/699,421	
				Title: TREE TRIMMER Applicant: Smitherman			
				FILING 10/31/2003		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
A	4,411,070	10/25/1983	Boyum et al.				
B	5,430,999	7/11/1995	Grant				
C	3,343,575	9/26/1967	Trout				
D	4,813,142	3/21/1989	Manno				
E	6,311,746	11/6/2001	Halvorson et al.				
F	6,085,505	7/11/2000	Edwards				
G	4,769,977	9/13/1988	Milbourn				
H	5,174,098	12/29/1992	Emery				
I	5,201,350	4/13/1993	Milbourn				
J	4,063,359	12/20/1977	Luscombe				
K	2,299,129	10/20/1942	Dickenson, Jr. et al.				
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
		A seven (7) page compilation of advertising literature prepared by Jarraff Industries, Inc. for its All-Terrain Tree Trimmer as shown on its web-site on January 13, 2004					
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.